



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

**Legislative Analysis**

**Community Outreach, Safety and Healthcare  
Administration Committee**

April 11, 2006

2:00 PM

Commission Chamber

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**Miami-Dade County Board of County Commissioners  
Office of the Commission Auditor**

**Legislative Analysis**

**Community Outreach, Safety & Healthcare Committee  
Meeting Agenda**

**Tuesday, April 11, 2006**

Written analyses for the below listed items are attached for your consideration in this Legislative Analysis.

**Item Number(s)**

|      |      |
|------|------|
| 2(A) | 3(A) |
|------|------|

If you require further analysis of these or any other agenda items, please contact Guillermo Cuadra, Chief Legislative Analyst, at (305) 375-5469.

Acknowledgements--Analyses prepared by:  
Jason T. Smith, Legislative Analysis

**April 11, 2006**

**LEGISLATIVE ANALYSIS**

*RESOLUTION DIRECTING COUNTY MANAGER TO DEVELOP UNIFORM  
PROCEDURE FOR HANDLING CITIZEN COMPLAINTS MADE AGAINST  
MDPD EMPLOYEES.*

Commissioner Barbara J. Jordan

**I. SUMMARY**

This resolution directs the County Manager to develop a county-wide procedure to handle citizen complaints against sworn and non-sworn employees of the Miami-Dade Police Department (MDPD). The procedure must be developed within 45-days of the passage of this resolution.

**II. PRESENT SITUATION**

Presently there is no standard policy to receive citizen's complaints against MDPD employees inside individual Miami-Dade police stations. There exists no standard complaint form which is distributed to individuals wishing to file complaints. The public can, however, file verbal complaints with police supervisors at any station in the County.

Additionally, citizens can file complaints against the MDPD or MDPD employees, or any county department or employee, through the Independent Review Panel. The panel was created in 1980 to ease tensions between citizens and police following the 1979 McDuffie and LaFleur police shootings and resulting riots.

Citizens can file complaints with the IRP by phone, e-mail, fax, anonymously, or by visiting the IRP offices located in the Stephen P. Clark building.

In 2004, the last year for which information is available, the IRP received complaints against 27 County departments. See below for the breakdown of citizen complaints filed with the IRP against MDPD:

| 2004 Complaint Distribution for the Independent Review Panel |                                      |                                       |                |       |                   |                          |
|--|--------------------------------------|---------------------------------------|----------------|-------|-------------------|--------------------------|
|  | Formal<br>Investigation<br>Requested | Resolved<br>Informally<br>or Referred | Job<br>Related | Misc. | Whistle<br>Blower | Total # of<br>complaints |
| <b>Miami-Dade Police<br/>Department</b>                      | 18                                   | 51                                    | 2              | 5     |                   | 76                       |

The complaint flow chart for the Independent Review Panel is detailed in **Attachment #1**.

**COSHAC ITEM 2(A)**

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**III. POLICY CHANGE AND IMPLICATION**

Following the Manager's recommendation, this resolution could help streamline the process of filing a complaint against MDPD, and result in complaint forms being placed in MDPD stations across the County.

**IV. ECONOMIC IMPACT**

This resolution would have no fiscal impact.

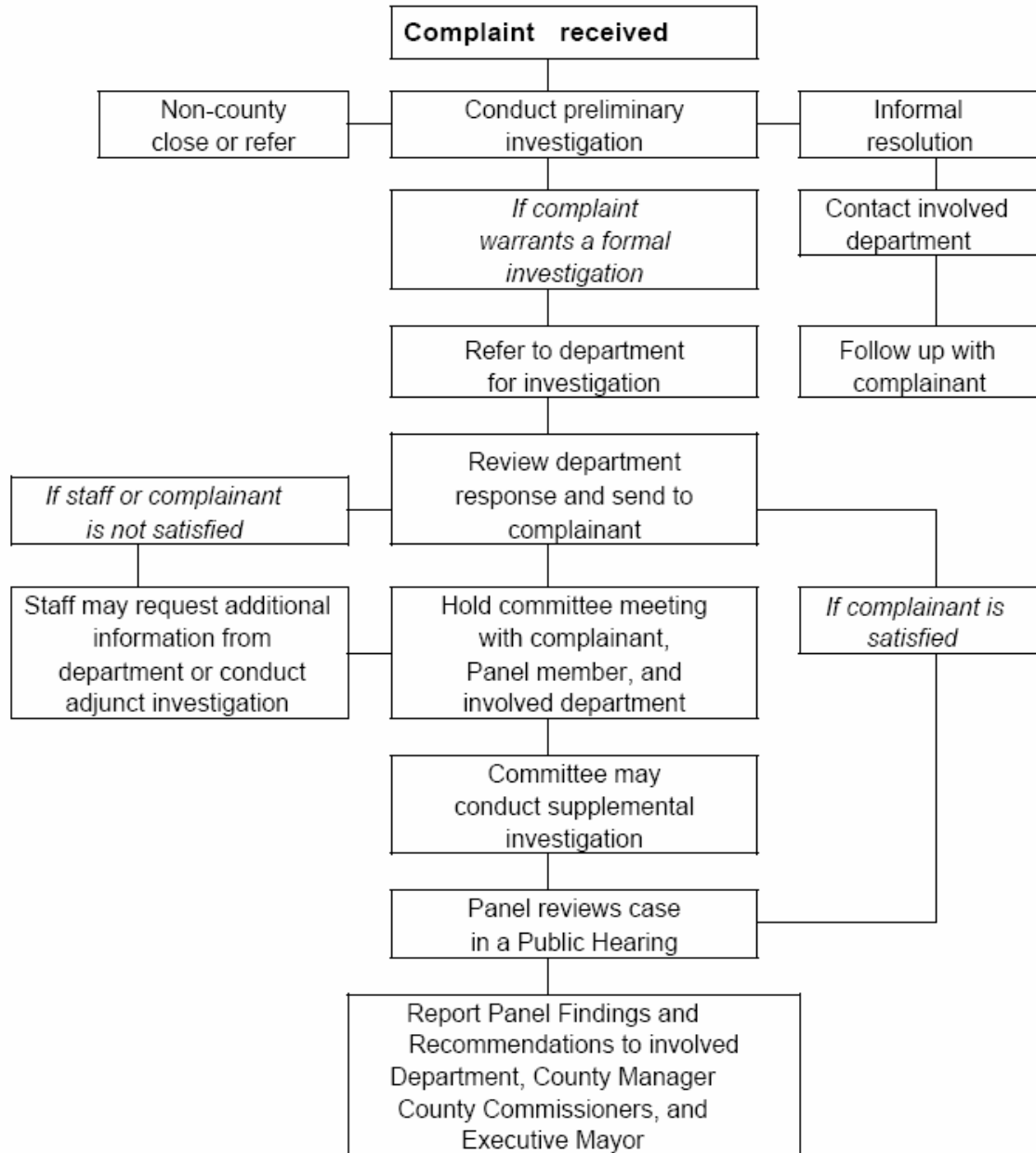
**V. COMMENTS AND QUESTIONS**

Attachment #1: Independent Review Panel complaint flow chart.

Attachment #2: "Commission Recommends Police Complaint Forms," WFOR-4, article.

## ATTACHMENT #1

### IRP Complaint Flow Chart



Source: "Independent Review Panel 2004 Annual Report," Miami-Dade County Independent Review Panel, p. 16.

**ATTACHMENT #2**

## **Commission Recommends Police Complaint Forms**

*(CBS4 News) MIAMI* – After Mike Kirsch’s special report “Police Station Intimidation” aired last month, a Miami-Dade Commissioner wants to change the way Miami-Dade Police handles civilian complaints.

Commissioner Barbara Jordan proposed a resolution Wednesday that would require the Miami-Dade Police Department to have police complaint forms readily available at all district stations.

Currently Miami-Dade Police does not have complaint forms if you have a specific problem to report against a police officer. The action would institute the use of complaint forms, avoiding the sometimes intimidating process of having to walk up to a police supervisor and file a verbal complaint of the particular officer with the force by name.

“To me it’s a matter of making sure the public is informed,” said Jordan. “You can freely feel easy about getting our procedure handed to you or if you choose to talk to a supervisor you can do that as well.”

The use of forms has been endorsed by the International Association of Chiefs of Police.

The title of the resolution reads: “Resolution directing county manager to develop a uniform procedure for handling citizen complaints made against Miami-Dade Police Department employees, which procedure shall include use of a standard form for intake of written complaints to be available at all department facilities open to the public.”

The county manager has 45 days to come up with a plan for the commission.

Daniel Lastra, CBS4.COM

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## **COSHAC ITEM 3(A)**

**April 11, 2006**

### **LEGISLATIVE ANALYSIS**

#### ***IMPACT FEE MANUAL AND AMENDED IMPACT FEE MANUAL ANNEXES***

Miami-Dade Police Department

#### **I. SUMMARY**

This item would amend the Police Services Impact Fee Manual to reflect recent changes in the police services impact fees.

#### **II. PRESENT SITUATION**

On January 24, 2006, the Board of County Commissioners approved Ordinance 06-14, which increased the police services impact fee for the first time since 1994. The formula used to calculate the fee is tied to the inflation scale as defined by the Consumer Price Index, and the County Manager is tasked with revising this impact fee on an annual basis.

Impact fees are used to mitigate the costs to the county of providing additional services in newly developed communities in Unincorporated Miami-Dade County. Since the police services impact was first established in 1990, it has been amended twice, once in 1994 and again in 2006. Each time the fee is amended, the Police Services Impact Fee Manual must be updated to reflect the Board-approved fee changes.

The current fees, as approved in Ordinance 06-14 are listed below:

| Land Use<br>Occupancy<br>Type | Percent<br>Use of<br>Police<br>Services | Net Capital<br>Costs | Number of<br>Units or<br>Square Feet<br>of<br>Occupancy | Credit<br>for<br>Criminal<br>Justice<br>Bond<br>Program | Cost per<br>Unit or<br>per<br>Square<br>Foot |
|-------------------------------|---|----------------------|---|---|--|
| Residential                   | 70%                                     | \$127,096,505        | 309,463   | 0   | \$410.70<br>per unit                         |
| Nonresidential                | 30%                                     | \$54,469,931         | 190,882,231   | 0   | \$0.285<br>per<br>square<br>foot             |

#### **III. POLICY CHANGE AND IMPLICATION**

This resolution would continue the County's policy of updating the police services impact fee manual to reflect the most recent Board-approved revisions to the fee.

**COSHAC ITEM 3(A)**

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**IV. ECONOMIC IMPACT**

This ordinance would have no fiscal impact on the County.

**V. COMMENTS AND QUESTIONS**

None.